

# SENATE BILL No. 294

May 1, 1991, Introduced by Senator WELBORN and referred to  
to the Committee on Family Law, Criminal Law, and  
Corrections.

A bill to amend section 32 of Act No. 239 of the Public Acts  
of 1972, entitled as amended

"McCauley-Traxler-Law-Bowman-McNeely lottery act,"

as added by Act No. 55 of the Public Acts of 1987, being section  
432.32 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 32 of Act No. 239 of the Public Acts of  
2 1972, as added by Act No. 55 of the Public Acts of 1987, being  
3 section 432.32 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5 Sec. 32. (1) Before payment of a prize of ~~more than~~  
6 ~~\$5,000.00~~ \$1,000.00 OR MORE OR MERCHANDISE VALUED AT \$1,000.00  
7 OR MORE, the bureau shall determine ~~if~~ WHETHER the department  
8 of treasury ~~knows of any liability of the~~ RECORDS SHOW THAT A  
9 lottery winner HAS A CURRENT LIABILITY to this state ~~,~~ OR A

1 CHILD SUPPORT ARREARAGE. THE DEPARTMENT OF TREASURY SHALL  
2 PROVIDE THE BUREAU WITH A LIST OR COMPUTER ACCESS TO A COMPILA-  
3 TION OF PERSONS KNOWN TO THE DEPARTMENT TO HAVE A CURRENT LIABIL-  
4 ITY TO THIS STATE OR A CHILD SUPPORT ARREARAGE. THE INFORMATION  
5 SHALL BE UPDATED NOT LESS THAN ONCE A MONTH. If a liability TO  
6 THIS STATE OR SUPPORT ARREARAGE is identified, the bureau shall  
7 ASCERTAIN THE AMOUNT OWED FROM THE DEPARTMENT OF TREASURY AND  
8 first apply the amount of the prize to the liability TO THE STATE  
9 AND NEXT TO THE SUPPORT ARREARAGE, and the excess, if any, shall  
10 be paid to the lottery winner.

11 (2) A lottery winner shall receive notice and an opportunity  
12 for a hearing before the department of treasury or ~~their~~ ITS  
13 designee with respect to the liability to which the prize is to  
14 be applied where the liability has not been reduced to judgment  
15 or has not been finalized under statutory review provisions of  
16 the statute under which the liability arose. ~~This~~ THE notice  
17 shall be made by regular mail. The lottery winner may request a  
18 hearing within 15 days of the date of the notice by making a  
19 written request to the revenue commissioner.

20 (3) AN AMOUNT APPLIED TO PAY A SUPPORT ARREARAGE SHALL BE  
21 PAID TO THE OFFICE OF THE FRIEND OF THE COURT FOR THE APPROPRIATE  
22 JUDICIAL CIRCUIT IN THE SAME MANNER, AND SUBJECT TO THE SAME  
23 INTEREST LIABILITY, AS IS PRESCRIBED FOR A PAYMENT PURSUANT TO AN  
24 ORDER OF INCOME WITHHOLDING UNDER SECTION 9 OF THE SUPPORT AND  
25 VISITATION ENFORCEMENT ACT, ACT NO. 295 OF THE PUBLIC ACTS OF  
26 1982, BEING SECTION 552.609 OF THE MICHIGAN COMPILED LAWS.

1           (4) IN REGARD TO THE INFORMATION PROVIDED BY THE DEPARTMENT  
2 OF TREASURY TO THE BUREAU PURSUANT TO THIS SECTION, THE BUREAU IS  
3 SUBJECT TO THE CONFIDENTIALITY RESTRICTIONS AND PENALTIES PRO-  
4 VIDED IN SECTION 28(1)(F) AND (2) OF ACT NO. 122 OF THE PUBLIC  
5 ACTS OF 1941, BEING SECTION 205.28 OF THE MICHIGAN COMPILED  
6 LAWS.

7           (5) AS USED IN THIS SECTION:

8           (A) "OFFICE OF THE FRIEND OF THE COURT" MEANS THE AGENCY  
9 CREATED IN SECTION 3 OF THE FRIEND OF THE COURT ACT, ACT NO. 294  
10 OF THE PUBLIC ACTS OF 1982, BEING SECTION 552.503 OF THE MICHIGAN  
11 COMPILED LAWS.

12          (B) "SUPPORT ARREARAGE" MEANS UNPAID CHILD SUPPORT PAYMENTS  
13 AS DETERMINED BY THE OFFICE OF THE FRIEND OF THE COURT UNDER  
14 SECTION 11 OF ACT NO. 294 OF THE PUBLIC ACTS OF 1982, BEING SEC-  
15 TION 552.511 OF THE MICHIGAN COMPILED LAWS.